

## REMARKS

Claims 1, 5, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24 and 25 currently remain in the application. Claims 2, 3, 4, 6, 7, 8, 11, 14, 17, 20, 23 and 26 have been canceled and claim 1 is herein amended.

In response to the document entitled Amendment "C" After Final Action mailed February 22, 2008, the Examiner stated in said Advisory Action that the proposed amendment therein would not be entered because they raised new issues that would require further consideration and/or search. More specifically, the Examiner stated that the new limitations regarding prevention of specks from appearing and a foamed portion of water that covers floating portions of the pasta were not previously claimed and require further consideration and search. The present RCE is therefore being submitted to have such consideration and/or search to be effected. Thus, the claims section is herein amended in the same way presented in said Amendment "C" After Final Action and applicant is herein presenting the same argument as before against the Examiner's rejection in said Final Action. For the convenience of the Examiner, applicant's argument presented in the REMARKS section of said Amendment "B" After Final Action is reproduced hereinbelow.

Claims 1, 5, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24 and 25 are rejected under 35 U.S.C. 103 over Tsen in view of Meyer and Goto. At least in part in view of the Examiner's reasons for the rejection, claim 1 is herein amended to more narrowly limit the boiling step of the method by saying that the water is boiled in such a manner that the foamed portion of the water covers the floating portion of the pasta being boiled. Although applicant is aware that the preamble portion of a claim does not necessarily limit its scope, the preamble portion of claim 1 is also herein amended to more clearly say that the method of this invention is primarily for preparing pasta without forming any specks after being boiled.

As pointed out by the Examiner, the method by the cited references may conceivably result in the boiling of water. But water can be boiled in many different ways. According to the present invention, it is not enough just to boil water but to boil the water in such a way that it will

foam and the foam thus generated will cover the portion of the pasta which is floating above the water level such that specks would not appear on the pasta after the boiling step presumably because that portion is not directly exposed to air. In order to cover that portion of the pasta by the foam to keep it moist, the water is not merely boiled but is boiled in such a manner that the generated foam would rise sufficiently high and actively and cover the floating portion of the pasta being boiled in the water. This requirement on the manner of boiling is not mentioned or even hinted at by any of the cited references. It is therefore believed that the method according to this invention as narrowly described now is not obvious and hence that the application is now in condition for allowance.

The Examiner is requested to issue an advisory action in a timely manner, if not a notice of allowance, in view of the early mailing of the instant Amendment within two months of the mailing date of said Final Office Action.

Applicant believes that no extension of time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorize the Commissioner to charge the required fees for an extension of time to Deposit Account No. 500388 (Order No. KGMEP015).

Please charge any additional fees required to facilitate filing the enclosed response to Deposit Account No. 500388 (Order No. KGMEP015).

Respectfully submitted,

/Keiichi Nishimura/

Keiichi Nishimura  
Registration No. 29,093

March 17, 2008  
BEYER WEAVER LLP  
500 12th Street, Suite 200  
Oakland, California 94607  
Telephone: (510) 663-1100  
Telefax: (510) 663-0920